

TOWN OF HARPSWELL
COMMUNICATIONS ADVISORY COMMITTEE
Workshop of November 20, 2009
Approved Minutes

Committee Members Present: Alan M. Shaver
 David I. Chipman
 C.V. Noyes

Town Staff Present: Kristi Eiane, Town Administrator
 Melissa Moretti, Recording Secretary

The workshop began at 11:30 AM at the Harpswell Town Office, 263 Mountain Road, Harpswell, Maine and was held in order to discuss the recently issued State model of the franchise agreement, and the changes put forth by Comcast regarding the Town's requests.

The consensus of everyone present was that the language Mr. Somers had added to Sec. 11(A)(1)(a) should be considered a "deal breaker."

Specific issues previously discussed were addressed:

- 1) Mr. Chipman said he had heard nothing regarding the signal upgrade of Channel 14.
- 2) Ms. Eiane said that she had received a voicemail message from Mr. Somers where he said he did not want to include build out for Pinkham Point, Stevens Corner, Hamilton Place or Sage Road. Regarding the issues of Channel 14, internet connections, and a possible discount for seniors, she said the Town would request these issues by side agreement, and she would e-mail Mr. Shaver.
- 3) Comcast said they could provide a map of physical facilities; Mr. Noyes said he would like to see a map in digital format (ref. Pg. 14, Sec. 10(B)(1).
- 4) Mr. Noyes said he wanted to know what the annual standard installation rate would be for subscribers who requested build out. It was decided that language should be provided to address the issue (ref. Sec. 10).
- 5) The draft franchise agreement stated the term of the contract as ten years (ref. Pg. 7). It was decided that the extension policy should be addressed.
- 6) It was decided that the minimum density figure should be retained at 18 houses/mile, not the 20 houses/mile provided in Mr. Somers' draft agreement. Mr. Chipman commented that, where there were parentheses in the agreement, there had been information added (by Mr. Somers).

Ms. Eiane said she would send Mr. Shaver a list of side agreement issues. It was discovered in the agreement that the signal upgrade for Channel 14 was addressed on Pg. 25, Sec. 16(C) and 16(D) and was not to be part of the \$60,000 equipment fund.

Mr. Chipman said he wanted PEG to always be available to the subscribers of Basic service (the "lower tier"), and that Comcast could do that in any way they chose. Mr. Shaver said he would add language to Sec. 16(A) to address the issue.

Mr. Shaver said he would make changes to the master document, and then e-mail it to Ms. Eiane.

She would e-mail that document to Mr. Somers.

Issues to be addressed were reiterated:

- 1) \$60,000 equipment fund
- 2) Ten year term of agreement
- 3) Internet connection
- 4) Possible senior discount (new issue)
- 5) Extension

It was discussed whether the attorney Pat Scully should be consulted to review the Town's version of the agreement prior to distribution to Mr. Somers. It was decided that, unless there was something in the agreement that the Town had requested and was denied, at that point Mr. Scully's advice might be sought.

There was discussion regarding the date of the next meeting, where Mr. Somers would be present. The Committee members and Town staff present suggested December 4, 2009 or December 11, 2009; December 4th was favored by those present. Ms. Eiane would ask Mr. Somers which would work best for him.

Ms. Eiane suggested that Mr. Shaver keep the master document and subsequent revisions during the working stage of the agreement.

The meeting adjourned at 12:20 PM.

Respectfully submitted,

Melissa Moretti
Recording Secretary

